



Journal of the House

State of Indiana

115th General Assembly

Second Regular Session

Eighteenth Meeting Day

Thursday Morning

February 14, 2008

The House convened at 10:00 a.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for wisdom and service (printed January 10, 2008).

The Pledge of Allegiance to the Flag was led by Representative Ronald D. Herrell.

The Speaker ordered the roll of the House to be called:

Austin	Hinkle
Avery	Hoy
Bardon	Kersey
Bartlett	Klinker
Battles	Knollman
Behning	Koch
Bell	L. Lawson
Bischoff	Lehe
Blanton	Leonard
Borders	Lutz
Borror	Mays
Bosma	McClain
C. Brown	Micon
T. Brown	Moses
Buck	Murphy
Buell	Neese
Burton	Niezgodski
Candelaria Reardon	Noe
Cheatham	Orentlicher
Cherry	Oxley
Cochran	Pelath
Crawford	Pflum
Crooks	Pierce
Crouch	Pond
Davis	Porter
Day	Reske
Dembowski	Richardson
Dermody	Ripley
Dobis	Robertson
Dodge	Ruppel
Duncan	Saunders
Dvorak	Simms
Eberhart	M. Smith
Elrod	V. Smith
Espich	Soliday
Foley	Stemler
Friend	Steuerwald
Frizzell	Stevenson
Fry	Stilwell
GiaQuinta	Stutzman
Goodin	Summers
Grubb	Thomas
Gutwein	Thompson
E. Harris	Tincher
T. Harris	Torr
Herrell	Turner

Tyler
Ulmer
VanDenburgh
VanHaaften

Walorski
Welch
Wolkins
Mr. Speaker

Roll Call 178: 91 present; 9 excused. The Speaker announced a quorum in attendance. [NOTE: indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 18, 2008, at 1:30 p.m.

SIMMS

The motion was adopted by a constitutional majority.

Representative Bosma was excused.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 51

Representative Niezgodski called down Engrossed Senate Bill 51 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Representatives Battles and Thompson were excused from voting, pursuant to House Rule 46. Roll Call 179: yeas 80, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative E. Harris.

Representative Bosma, who had been excused, was present.

Engrossed Senate Bill 72

Representative Niezgodski called down Engrossed Senate Bill 72 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and benefits.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 180: yeas 83, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 156

Representative C. Brown called down Engrossed Senate Bill 156 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 181: yeas 86, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 164

Representative C. Brown called down Engrossed Senate Bill 164 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 182: yeas 83, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 10, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 27 through 33, begin a new paragraph and insert:

"(b) An inmate who, with the intent of obtaining money or other property from a person who is not an inmate, knowingly or intentionally:

(1) makes a misrepresentation to a person who is not an inmate and obtains or attempts to obtain money or other property from the person who is not an inmate; or

(2) obtains or attempts to obtain money or other property from the person who is not an inmate through a misrepresentation made by another person; commits inmate fraud, a Class C felony."

(Reference is to SB 10 as printed January 17, 2008.) and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

HOY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 26, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 31, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "and utilities".

Page 2, line 11, delete "The type, location, and owners of utility facilities in the".

Page 2, delete line 12.

Page 2, line 13, delete "(4)".

Page 2, run in lines 11 through 13.

Page 3, after line 31, begin a new paragraph and insert:

"(j) As used in this section, "owner" does not include a utility."

(Reference is to SB 31 as printed January 23, 2008.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

AUSTIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 62, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

STEVENSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 78, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 4. IC 27-8-5-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 22. (a) All individual policies of accident and sickness insurance issued for delivery in Indiana after June 30, 1990, must provide for the refund of unused premiums upon the death of the insured during the contract period.

(b) The amount of premium refund shall be prorated from the date following the date of death of the insured to the end of the contract period for which the premium has been paid.

(c) The refund required by this section shall be paid as follows:

(1) If a person other than the insured paid the premium, to that person. A person entitled to a refund under this subdivision must furnish proof of payment to the insurer.

(2) If the insured paid the premium, to the surviving spouse of the insured. If there is no surviving spouse, the premium shall be paid in the same manner as distributions of the net estate of a person who dies intestate under IC 29-1-2-1(d).

A parent disqualified under IC 29-1-2-1(e) from receiving an intestate share of the parent's child's estate is not entitled to a refund under this section of insurance premiums paid by the child.

(d) A person entitled to receive a refund under this section must do the following:

(1) Submit a written request for the refund.

(2) Furnish proof of the insured's death.

(e) This section does not affect the rights of a dependent under a policy covered by this section to obtain a conversion policy upon the death of the insured.

SECTION 5. IC 29-1-2-1, AS AMENDED BY P.L.61-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) The estate of a person dying intestate shall descend and be distributed as provided in this section.

(b) Except as otherwise provided in subsection (c), the surviving spouse shall receive the following share:

(1) One-half (1/2) of the net estate if the intestate is survived by at least one (1) child or by the issue of at least one (1) deceased child.

(2) Three-fourths (3/4) of the net estate, if there is no surviving issue, but the intestate is survived by one (1) or both of the intestate's parents.

(3) All of the net estate, if there is no surviving issue or parent.

(c) If the surviving spouse is a second or other subsequent spouse who did not at any time have children by the decedent, and the decedent left surviving the decedent a child or children or the descendants of a child or children by a previous spouse, the surviving second or subsequent childless spouse shall take only an amount equal to twenty-five percent (25%) of the remainder of:

(1) the fair market value as of the date of death of the real property of the deceased spouse; minus

(2) the value of the liens and encumbrances on the real property of the deceased spouse.

The fee shall, at the decedent's death, vest at once in the decedent's surviving child or children, or the descendants of the decedent's child or children who may be dead. A second or subsequent childless spouse described in this subsection shall, however, receive the same share of the personal property of the decedent as is provided in subsection (b) with respect to surviving spouses generally.

(d) The share of the net estate not distributable to the surviving spouse, or the entire net estate if there is no surviving spouse, shall descend and be distributed as follows:

(1) To the issue of the intestate, if they are all of the same degree of kinship to the intestate, they shall take equally, or if of unequal degree, then those of more remote degrees shall take by representation.

(2) **Except as provided in subsection (e)**, if there is a surviving spouse but no surviving issue of the intestate, then to the surviving parents of the intestate.

(3) **Except as provided in subsection (e)**, if there is no surviving spouse or issue of the intestate, then to the surviving parents, brothers, and sisters, and the issue of deceased brothers and sisters of the intestate. Each living parent of the intestate shall be treated as of the same degree as a brother or sister and shall be entitled to the same share as a brother or sister. However, the share of each parent shall be not less than one-fourth (1/4) of the decedent's net estate. Issue of deceased brothers and sisters shall take by representation.

(4) If there is no surviving parent or brother or sister of the intestate, then to the issue of brothers and sisters. If the distributees described in this subdivision are all in the same degree of kinship to the intestate, they shall take equally or, if of unequal degree, then those of more remote degrees shall take by representation.

(5) If there is no surviving issue or parent of the intestate or issue of a parent, then to the surviving grandparents of the intestate equally.

(6) If there is no surviving issue or parent or issue of a parent, or grandparent of the intestate, then the estate of the decedent shall be divided into that number of shares equal to the sum of:

(A) the number of brothers and sisters of the decedent's parents surviving the decedent; plus

(B) the number of deceased brothers and sisters of the decedent's parents leaving issue surviving both them and the decedent;

and one (1) of the shares shall pass to each of the brothers and sisters of the decedent's parents or their respective issue per stirpes.

(7) If interests in real estate go to a husband and wife under this subsection, the aggregate interests so descending shall be owned by them as tenants by the entireties. Interests in personal property so descending shall be owned as tenants in common.

(8) If there is no person mentioned in subdivisions (1) through (7), then to the state.

(e) A parent may not receive an intestate share of the estate of the parent's minor or adult child if:

(1) the parent was convicted while the child was alive of:

(A) murder (IC 35-42-1-1) or voluntary manslaughter (IC 35-42-1-3) in Indiana; or

(B) a crime in any other jurisdiction in which the elements of the crime are substantially similar to the elements of murder or voluntary manslaughter; and

(2) the victim of the crime is the other parent of the child.

If a parent is disqualified from receiving an intestate share under this subsection, the estate of the deceased child shall be distributed as though the parent had predeceased the child."

Page 6, line 35, delete "terminated," and insert "terminated".

Renumber all SECTIONS consecutively.

(Reference is to SB 78 as reprinted January 23, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 91, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 29, delete "child" and insert "**child, a child's foster parent, a child's guardian ad litem, a court appointed special advocate, or an agency that has the legal responsibility or authorization to care for, treat, or supervise a child**".

Page 3, line 1, delete "visitation arranged through the department." and insert "**visitation**".

Sec. 5. (a) The juvenile court may appoint a guardian ad litem or court appointed special advocate if a child receiving foster care requests sibling visitation.

(b) IC 31-17-6 applies to a guardian ad litem or court appointed special advocate appointed under this section."

(Reference is to SB 91 as printed January 25, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

SUMMERS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, after line 14, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "board" refers to the Indiana state board of animal health established by IC 15-2.1-3-1.

(b) The board shall:

(1) review;

(2) study; and

(3) make recommendations to the general assembly concerning;

claims made about milk, milk products, meat, and poultry marketed to the general public.

(c) The review, study, and recommendations must cover:

(1) milk and milk products regulated under

IC 15-2.1-23;

- (2) meat and poultry regulated under IC 15-2.1-24; and**
(3) any other food products over which the board has jurisdiction.

(d) The board shall make a report to the legislative council concerning the review, study, and recommendations required under subsection (b) on or before November 15, 2008. The report must be in an electronic format under IC 5-14-6.

SECTION 3. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 123 as printed January 25, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PFLUM, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred Senate Bill 197, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 13, delete "does" and insert "**may**".

Page 1, line 13, delete "following:" and insert "**following when determining the total value of contracts for state agencies:**".

Page 1, line 15, delete "Medical insurance." and insert "**Health care services (as defined in IC 27-8-11-1(c)).**".

Page 2, line 41, after "Hispanics;" insert "**and**".

Page 2, line 42, delete ";" and insert ".".

Page 2, line 42, strike "and".

Page 3, strike line 1.

(Reference is to SB 197 as printed January 25, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

NIEZGODSKI, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 208, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 0.

SUMMERS, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 235, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 8 through 17, begin a new paragraph and insert:

"SECTION 2. IC 3-11-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A voter who is otherwise qualified to vote in person is entitled to vote by absentee ballot: **Except**

(1) by mail;

(2) before an absentee voter board as otherwise provided in this article; a voter voting by absentee ballot must vote

(3) in the office of the circuit court clerk (or board of elections and registration in a county subject to IC 3-6-5.2); or

(4) at a satellite office established under IC 3-11-10-26.3.

(b) A county election board, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the board determines that the person has been hospitalized or suffered an injury following the final date and hour for applying for an absentee ballot that would prevent the person from voting in person at the polls.

(c) The commission, by unanimous vote of its entire membership, may authorize a person who is otherwise qualified to vote in person to vote by absentee ballot if the commission determines that an emergency prevents the person from voting in person at a polling place.

(d) The absentee ballots used in subsection (b) or (c) must be the same official absentee ballots as described in ~~section~~ **sections** 12 and 13 of this chapter. Taking into consideration the amount of time remaining before the election, the commission shall determine whether the absentee ballots are transmitted to and from the voter by mail or personally delivered. An absentee ballot that is personally delivered shall comply with the requirements in sections 19, 20, and 21 of this chapter.

SECTION 3. IC 3-11-4-2, AS AMENDED BY P.L.103-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to the county election board for an official absentee ballot. Except as provided in subsection (b), the voter must sign the absentee ballot application.

(b) If a voter with disabilities is unable to sign the absentee ballot application and the voter has not designated an individual to serve as attorney in fact for the voter, the county election board may designate an individual to sign the application on behalf of the voter. If an individual applies for an absentee ballot as the properly authorized attorney in fact for a voter, the attorney in fact must attach a copy of the power of attorney to the application.

(c) A person may provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

(1) The name of the individual.

(2) The voter registration address of the individual.

(3) The mailing address of the individual.

(4) The date of birth of the individual.

(5) The voter identification number of the individual.

(d) A person may not provide an individual with an application for an absentee ballot with the following information already printed or otherwise set forth on the application when provided to the individual:

(1) The address to which the absentee ballot would be mailed, if different from the voter registration address of the individual.

(2) In a primary election, the major political party ballot requested by the individual.

(3) In a primary or general election, the types of absentee ballots requested by the individual.

~~(4) The reason why the individual is entitled to vote an absentee ballot:~~

~~(A) by mail; or~~

~~(B) before an absentee voter board (other than an absentee voter board located in the office of the circuit court clerk or a satellite office);~~

~~in accordance with IC 3-11-4-18, IC 3-11-10-24, or IC 3-11-10-25.~~

(e) If the county election board determines that an absentee ballot application does not comply with subsection (d), the board shall deny the application under section 17.5 of this chapter.

(f) A person who assists an individual in completing any information described in subsection (d) on an absentee ballot application shall state under the penalties for perjury the

following information on the application:

- (1) The full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person providing the assistance.
- (2) The date this assistance was provided.
- (3) That the person providing the assistance has complied with Indiana laws governing the submission of absentee ballot applications.
- (4) That the person has no knowledge or reason to believe that the individual submitting the application:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

(g) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company. A person who receives a completed absentee ballot application from the individual who has applied for the absentee ballot shall file the application with the appropriate county election board not later than:

- (1) noon seven (7) days after the person receives the application; or
- (2) the deadline set by Indiana law for filing the application with the board;

whichever occurs first.

(h) This subsection does not apply to an employee of the United States Postal Service or a bonded courier company acting in the individual's capacity as an employee of the United States Postal Service or a bonded courier company. A person filing an absentee ballot application, other than the person's own absentee ballot application, must sign an affidavit at the time of filing the application. The affidavit must be in a form prescribed by the commission. The form must include the following:

(1) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the person submitting the application.

(2) A statement that the person filing the affidavit has complied with Indiana laws governing the submission of absentee ballot applications.

(3) A statement that the person has no knowledge or reason to believe that the individual whose application is to be filed:

(A) is ineligible to vote or to cast an absentee ballot; or

(B) did not properly complete and sign the application.

(4) A statement that the person is executing the affidavit under the penalties of perjury.

(5) A statement setting forth the penalties for perjury.

(i) The county election board shall record the date and time of the filing of the affidavit.

SECTION 4. IC 3-11-4-18, AS AMENDED BY P.L.164-2006, SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) ~~If a voter satisfies any of the qualifications described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot by mail,~~ The county election board shall, at the request of the voter, mail the official ballot, postage fully prepaid, to the voter at the address stated in the application.

(b) If the county election board mails an absentee ballot to a voter required to file additional documentation with the county voter registration office before voting by absentee ballot under this chapter, the board shall include a notice to the voter in the envelope mailed to the voter under section 20 of this chapter. The notice must inform the voter that the voter must file the additional documentation required under IC 3-7-33-4.5 with the county voter registration office not later than noon on election day for the absentee ballot to be counted as an absentee ballot, and that, if the documentation required under IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the ballot will be processed as a provisional ballot. The commission shall

prescribe the form of this notice under IC 3-5-4-8.

(c) Except as provided in section 18.5 of this chapter, the ballot shall be mailed:

- (1) on the day of the receipt of the voter's application; or
- (2) not more than five (5) days after the date of delivery of the ballots under section 15 of this chapter;

whichever is later.

(d) In addition to the ballot mailed under subsection (c), the county election board shall mail a special absentee ballot for overseas voters.

(e) Except as provided in section 18.5 of this chapter, the ballot described in subsection (d):

(1) must be mailed:

(A) on the day of the receipt of the voter's application; or

(B) not more than five (5) days after the latest date for delivery of the ballots under section 13(b) of this chapter applicable to that election;

whichever is later; and

(2) may not be mailed after the absentee ballots described by section 13(a) of this chapter have been delivered to the circuit court clerk or the clerk's authorized deputy.

(f) As required by 42 U.S.C. 15481, an election board shall establish a voter education program (specific to a paper ballot or optical scan ballot card provided as an absentee ballot under this chapter) to notify a voter of the effect of casting multiple votes for a single office.

(g) As provided by 42 U.S.C. 15481, when an absentee ballot is mailed under this section, the mailing must include:

(1) information concerning the effect of casting multiple votes for an office; and

(2) instructions on how to correct the ballot before the ballot is cast and counted, including the issuance of replacement ballots.

SECTION 5. IC 3-11-8-10.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.3. (a) As used in this section, "electronic poll list" refers to a poll list that is maintained in a computer data base.

(b) An electronic poll list must satisfy all of the following:

(1) An electronic poll list must be programmed so that the coordinated action of two (2) precinct election officers who are not members of the same political party is necessary to record the fact that a voter has voted.

(2) An electronic poll list may not be connected to a voting system.

(3) An electronic poll list may not permit access to voter information that is confidential under IC 3-7.

SECTION 6. IC 3-11-10-24, AS AMENDED BY P.L.103-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) Except as provided in subsection (b), a voter who satisfies any of the following is entitled to vote by mail.

(1) The voter has a specific, reasonable expectation of being absent from the county on election day during the entire twelve (12) hours that the polls are open;

(2) The voter will be absent from the precinct of the voter's residence on election day because of service as:

(A) a precinct election officer under IC 3-6-6;

(B) a watcher under IC 3-6-8; IC 3-6-9; or IC 3-6-10;

(C) a challenger or pollbook holder under IC 3-6-7; or

(D) a person employed by an election board to administer the election for which the absentee ballot is requested;

(3) The voter will be confined on election day to the voter's residence, to a health care facility, or to a hospital because of an illness or injury during the entire twelve (12) hours that the polls are open;

- (4) The voter is a voter with disabilities.
- (5) The voter is an elderly voter.
- (6) The voter is prevented from voting due to the voter's care of an individual confined to a private residence because of illness or injury during the entire twelve (12) hours that the polls are open.
- (7) The voter is scheduled to work at the person's regular place of employment during the entire twelve (12) hours that the polls are open.
- (8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12.
- (9) The voter is prevented from voting due to observance of a religious discipline or religious holiday during the entire twelve (12) hours that the polls are open.
- (10) The voter is an address confidentiality program participant (as defined in IC 5-26.5-1-6).

(b) A voter with disabilities who:

- (1) is unable to make a voting mark on the ballot or sign the absentee ballot secrecy envelope; and
- (2) requests that the absentee ballot be delivered to an address within Indiana;

must vote before an absentee voter board under section 25(b) of this chapter.

(c) If a voter receives an absentee ballot by mail, the voter shall personally mark the ballot in secret and seal the marked ballot inside the envelope provided by the county election board for that purpose. The voter shall:

- (1) deposit the sealed envelope in the United States mail for delivery to the county election board; or
- (2) authorize a member of the voter's household or the individual designated as the voter's attorney in fact to:
 - (A) deposit the sealed envelope in the United States mail; or
 - (B) deliver the sealed envelope in person to the county election board.

(d) If a member of the voter's household or the voter's attorney in fact delivers the sealed envelope containing a voter's absentee ballot to the county election board, the individual delivering the ballot shall complete an affidavit in a form prescribed by the commission. The affidavit must contain the following information:

- (1) The name and residence address of the voter whose absentee ballot is being delivered.
- (2) A statement of the full name, residence and mailing address, and daytime and evening telephone numbers (if any) of the individual delivering the absentee ballot.
- (3) A statement indicating whether the individual delivering the absentee ballot is a member of the voter's household or is the attorney in fact for the voter. If the individual is the attorney in fact for the voter, the individual must attach a copy of the power of attorney for the voter, unless a copy of this document has already been filed with the county election board.
- (4) The date and location at which the absentee ballot was delivered by the voter to the individual delivering the ballot to the county election board.
- (5) A statement that the individual delivering the absentee ballot has complied with Indiana laws governing absentee ballots.
- (6) A statement that the individual delivering the absentee ballot is executing the affidavit under the penalties of perjury.
- (7) A statement setting forth the penalties for perjury.

(e) The county election board shall record the date and time that the affidavit under subsection (d) was filed with the board.

(f) After a voter has mailed or delivered an absentee ballot to the office of the circuit court clerk, the voter may not recast a ballot, except as provided in:

- (1) section 1.5 of this chapter; or

(2) section 33 of this chapter."

Delete page 2.

Page 3, delete lines 1 through 15.

Page 3, delete lines 20 through 42, begin a new paragraph and insert:

"SECTION 8. IC 3-11-18-3, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) For A county **must comply with this section to be designated become** a vote center pilot county.

(b) As used in this section, "board" refers to any of the following:

(1) The county election board. or

(2) The board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4.

(c) The board must hold a public hearing to present a draft plan for administration of vote centers in the county.

(d) After presentation of the draft plan under subsection (c), the board shall accept written public comments on the draft plan.

(e) Not sooner than thirty (30) days after the hearing held under subsection (c), the board shall hold a public hearing to consider the draft plan, the written public comments, and any other public comment that the board may permit on the draft plan.

(f) After consideration of the draft plan and the public comments, the board may do the following:

(1) Adopt an order approving the draft plan.

(2) Amend the draft plan and adopt an order approving the amended draft plan.

The board may adopt the order to approve a plan only by unanimous vote of the entire membership of the board. ~~must~~ approve the filing of an application to be designated a vote center pilot county;

(2) (g) All members of the board must sign the application; ~~and order adopting the plan.~~

(3) (h) The application ~~order and the adopted plan~~ must be filed with the ~~secretary of state.~~ (b) The application ~~election division~~ and must include a copy of:

(1) a resolution adopted by the county executive; and

(2) a resolution adopted by the county fiscal body; approving the ~~submission designation~~ of the application: ~~county as a vote center county.~~

SECTION 9. IC 3-11-18-4, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. ~~The application must include a plan for the administration of vote centers in the county:~~ The plan **required by section 3 of this chapter** must include at least the following:

(1) The total number of vote centers to be established.

(2) The location of each vote center. ~~and the municipality, if any; in which the vote center is located.~~

(3) ~~A list of each municipality within the county that is entitled to conduct a municipal primary or municipal election; as of the date of the application.~~

(3) The effective date of the order.

(4) The following information according to the computerized list (as defined in IC 3-7-26.3-2) as of the date of the order:

(A) The total number of voters within ~~each municipality, as of the date of the application; and the county.~~

(B) The number of ~~those active~~ voters within ~~each municipality designated as "active" and the county.~~

(C) The number of inactive ~~according to voters within the county. voter registration office.~~

(5) For each vote center designated under subdivision (2), a list of the precincts whose polls will be located at the vote center.

(6) For each vote center designated under subdivision (2),

the number of precinct election boards that will be appointed to administer an election at the vote center.

(7) For each precinct election board designated under subdivision (6), the number and name of each precinct the precinct election board will administer.

(8) For each vote center designated under subdivision (2), the number and title of the precinct election officers who will be appointed to serve at the vote center.

(9) For each vote center designated under subdivision (2):

(A) the number and type of ballot variations that will be provided at the vote center; and

(B) whether these ballots will be:

(i) delivered to the vote center before the opening of the polls; or

(ii) printed on demand for a voter's use.

(10) A detailed description of any hardware, firmware, or software used:

(A) to create an electronic poll list for each precinct whose polls are to be located at a vote center; or

(B) to establish a secure electronic connection between the county election board and the precinct election officials administering a vote center.

(11) A description of the equipment and procedures to be used to ensure that information concerning a voter entered into any electronic poll list used by precinct election officers at a vote center is immediately accessible to:

(A) the county election board; and

(B) the electronic poll lists used by precinct election officers at all other vote centers in the county.

(12) For each precinct designated under subdivision (5), the number of electronic poll lists to be provided for the precinct.

(13) The security and contingency plans to be implemented by the county to **do all of the following**:

(A) Prevent a disruption of the vote center process. ~~and~~

(B) Ensure that the election is properly conducted if a disruption occurs.

(C) Prevent recording the fact that a voter has voted without the coordinated action of two (2) precinct election officers who are not members of the same political party.

(14) A certification that the vote center complies with the accessibility requirements applicable to polling places under IC 3-11-8.

(15) A sketch depicting the planned layout of the vote center, indicating the location of:

(A) equipment; and

(B) precinct election officers;

within the vote center.

(16) The total number of vote centers to be established at satellite offices that are established under IC 3-11-10-26.3 to allow voters to cast absentee ballots in accordance with IC 3-11.

(17) The method and timing of providing voter data to persons who are entitled to receive the data under this title. Data must be provided to all persons entitled to the data without unreasonable delay."

Delete page 4.

Page 5, delete lines 1 through 22.

Page 5, line 37, after "of" insert "active".

Page 5, line 37, after "voters" insert "in the county".

Page 5, line 38, strike "designated under section 4(4) of this chapter as "active"".

Page 6, line 6, strike "approving".

Page 6, line 7, after "designate" insert "adopting".

Page 7, delete lines 2 through 19, begin a new paragraph and insert:

"SECTION 15. IC 3-11-18-12, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 12. Notwithstanding any other law, a voter who resides in a vote center ~~pilot~~ county is entitled to cast an absentee ballot at a vote center located at a satellite office of the county election board established under IC 3-11-10-26.3 in the same manner and subject to the same restrictions applicable to a voter wishing to cast an absentee ballot before an absentee board located in the office of the circuit court clerk or board of elections and registration.

SECTION 16. IC 3-11-18-13, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 13. Notwithstanding any other law, the electronic poll list used at each vote center:

(1) must comply with IC 3-11-8-10.3;

~~(1)~~ **(2)** must be capable of capturing an electronic image of the signature of a voter on the list; and

~~(2)~~ **(3)** may be in a format approved by the secretary of state.

SECTION 17. IC 3-11-18-14, AS ADDED BY P.L.164-2006, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. Notwithstanding any other law, including IC 3-11-8-2 and IC 3-14-2-11, a voter who resides in a vote center ~~pilot~~ county is entitled to cast a ballot at any vote center established in the county without regard to the precinct in which the voter resides."

Page 8, line 3, delete "SECTION 14 of".

Page 8, line 3, delete ";" and insert "before July 1, 2008;".

Page 8, line 9, after "county" insert "that has applied for designation".

Renumber all SECTIONS consecutively.

(Reference is to SB 235 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

PIERCE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 305, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 0.

HOY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Small Business and Economic Development, to which was referred Senate Bill 307, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

Page 18, line 41, after "Interest" delete "the" and insert "that".

Page 19, between lines 1 and 2, begin a new paragraph and insert:

"(f) Money in the dealer compliance account is continuously appropriated to the secretary of state for the purposes of the account."

Page 23, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 48. IC 15-12-1-48 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: **Sec. 48. (a) The secretary of state shall charge and collect for the benefit of the state the following fees:**

(1) For filing with the secretary of state the articles of incorporation of an association organized or a corporation reorganized under this chapter providing for the issuance of membership certificates only and not for certificates of stock, five dollars (\$5).

(2) For filing with the secretary of state articles of incorporation of an association organized or a corporation reorganized under this chapter providing for the issuance of capital stock not exceeding five thousand dollars (\$5,000) of par value, five dollars (\$5). If the capital stock authorized to be issued by the association exceeds five thousand dollars (\$5,000), one cent (\$0.01) for each one hundred dollars (\$100) of additional par value.

(3) For filing with the secretary of state a certificate of increase of capital stock of any association for an increase of not more than five thousand dollars (\$5,000) of par value, five dollars (\$5), and for each one hundred dollars (\$100) of par value of increase above five thousand dollars (\$5,000), one cent (\$0.01).

(4) For filing with the secretary of state any certificate not specified in this section, five dollars (\$5) each, regardless of the number of amendments contained in the certificate, with the exception of increases of capital stock. The fee for increases of capital stock is as provided in subdivision (3).

(5) For filing biennial or special reports of associations, two dollars (\$2) for each filing, which is in addition to any other fees specified in this section. The biennial report filing fee is one dollar (\$1) per year, to be paid biennially.

(6) For each certificate issued by the secretary of state, one dollar (\$1), and for each impression of the seal of the state of Indiana affixed by the secretary of state on the certificate, fifty cents (\$0.50).

(b) Fees collected under subsection (a) shall be deposited in the state general fund."

Renumber all SECTIONS consecutively.

(Reference is to SB 307 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

ORENTLICHER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 316, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 17, line 2, delete "federal" and insert "**federal or state**".

Page 18, between lines 3 and 4, begin a new paragraph and insert:

"Sec. 7.6. **"Contract operator" means an individual who contracts with the owner of an animal to provide complete care for the animal twenty-four (24) hours a day, seven (7) days a week.**"

Page 19, line 5, delete "(7);" and insert "(8);".

Page 19, line 19, delete "using any manual or mechanical procedure for" and insert "**performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals.**"

Page 19, delete line 20.

Page 26, line 37, after "An owner" insert "**or contract operator**".

Page 26, line 37, after "the owner" insert "**or contract operator**".

Page 31, line 14, delete "October 15" and insert "**a date set by the agency**".

Page 31, line 18, delete "veterinarian and provide the veterinarian with a" and insert "**veterinarian**".

Page 31, line 19, delete "form for renewal."

Page 31, line 27, delete "January 1" and insert "**a date set by the agency**".

Page 31, line 31, delete "technician and provide" and insert "**technician**".

Page 31, line 32, delete "the registered veterinary technician with a form for renewal."

Page 34, line 18, delete "or immunizing product".

(Reference is to SB 316 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PFLUM, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "(d)" and insert "SECTION 2."

(Reference is to SB 343 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

L. LAWSON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 345, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 8, nays 0.

SUMMERS, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 352, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 1, delete "P.L.218-2007," AND INSERT "HEA 1137-2008, SECTION 9, AND AS AMENDED BY SEA 190-2008, SECTION 17,".

Page 1, line 2, delete "SECTION 1,".

Page 1, line 2, after "IS" insert "CORRECTED AND".

Page 2, line 21, after "required by" insert "*or other date provided by*".

Page 2, line 31, delete "or" and insert "~~or~~".

Page 2, line 32, delete "4-33-4-14." and insert "4-33-4-14, *or IC 4-35-4-2*."

Page 3, line 1, delete "12-15-41-15 or IC 12-15-44-19(b)." and insert "12-15-41-15. ~~or IC 12-15-44-19(b)~~."

Page 3, line 3, delete "IC 15-2.1-18-21." and insert "IC 15-17-10-9."

Page 3, between lines 33 and 34, begin a new line block indented and insert:

"(31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8."

Page 15, line 10, after "system" insert "**and repository**".

Page 15, line 14, after "system" insert "**and repository**".

Page 75, line 29, delete "fee that may not exceed the" and insert "**uniform fee that is determined by the department**".

Page 75, delete lines 30 through 32.

Page 78, line 24, delete "director, at the director's discretion, may, for the" and insert "**director may keep a final order confidential if the director determines that the immediate release of the order would endanger:**

- (1) the stability of the financial institution; or
- (2) the security of depositors' funds.

However, a final order kept confidential under this subsection shall be disclosed to the public not later than one (1) year after the issuance of the order."

Page 78, delete lines 25 through 27.

(Reference is to SB 352 as printed January 25, 2008.)
and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

SUMMERS, Vice Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 11, nays 0.

C. BROWN, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 20

Representative Koch introduced House Concurrent Resolution 20:

A CONCURRENT RESOLUTION honoring Anah Hewetson.

Whereas, Bedford-North Lawrence senior Anah Hewetson was named Lawrence County's first Indiana Junior Miss;

Whereas, Eighteen year old Anah Hewetson took first place over 22 other contestants in the preliminary to America's Junior Miss;

Whereas, As Indiana's Junior Miss, Anah Hewetson will compete in the America's Junior Miss pageant in Mobile, Alabama;

Whereas, As the winner of the Indiana's Junior Miss title, Anah Hewetson received \$3,750 in scholarships and awards for academics and self-expression;

Whereas, After graduation, Anah Hewetson aspires to be an attorney or history professor and judge; and

Whereas, Anah Hewetson is an outstanding representative for the Hoosier state, and her accomplishments deserve special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Anah Hewetson on being named Indiana's Junior Miss.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Anah Hewetson and her family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Steele.

House Concurrent Resolution 21

Representative Foley introduced House Concurrent Resolution 21:

A CONCURRENT RESOLUTION honoring the Martinsville High School girls golf team on winning the 2007 Indiana High School Athletic Association (IHSAA) Girls Golf Championship.

Whereas, The Martinsville High School girls golf team won the 2007 IHSAA Girls Golf Championship at the Legends Golf Course in Franklin;

Whereas, The Lady Artesians won the championship with a two-day total of 623, 19 strokes better than second place Hamilton Southeastern, and tied for second on the all-time scoring list;

Whereas, This win for Martinsville was a record-setting 10th girls golf state title for the school, all of which have come under head coach Sharon Most;

Whereas, The Lady Artesians began second round play in third place, only five shots behind first-day leader Columbus North;

Whereas, The Martinsville team shot 305 on the second day of the championship, the second lowest 18-hole score ever shot during the state meet;

Whereas, Each member of the girls golf team is an integral part of the team, whose victory included outstanding efforts from senior Chelsea Silvers who shot 80-72-152, junior Carleigh Silvers who fired a 77-75-152, sophomore Kelsey Benson who shot 80-78-158, and seniors Molly Burpo and Emily Habbel who shot 81-82-163 and 86-80-166, respectively;

Whereas, the scores of sisters Chelsea and Carleigh Silvers were good enough to earn them a tie for 12th on the leader board.;

Whereas, It was the team's consistent play, a hallmark throughout the season, that ensured their victory; and

Whereas, Excellence in athletics, just like excellence in academics, requires an enormous amount of dedication and hard work; this hard work and dedication help to mold the youth of today into the leaders of tomorrow: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Martinsville High School Lady Artesians on their tenth IHSAA Girls Golf Championship title.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members Kelsey Benson, Chelsea Silvers, Molly Burpo, Emily Habbel, Carleigh Silvers, and Ellie Rutledge; coach Sharon Most, athletic director Don Lipps, and principal Don Alkire.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Bray.

House Concurrent Resolution 22

Representatives Oxley, Goodin, and Koch introduced House Concurrent Resolution 22:

A CONCURRENT RESOLUTION congratulating Don Shoemaker.

Whereas, Don Shoemaker, Jackson County, won the Young Farmer and Rancher Discussion Meet at the American Farm Bureau Federation's annual conference;

Whereas, Don Shoemaker competed in four rounds against participants from all over the United States;

Whereas, During the discussion meet, Don Shoemaker discussed issues such as water rights and the public's perception of farmers, simulating a committee meeting in which active discussion and participation are anticipated;

Whereas, Don Shoemaker earned a chance to compete at the national level by winning the state competition;

Whereas, Don Shoemaker is a full-time farmer near Vallonia where he raises cattle and grows corn, soybeans, and wheat; and

Whereas, It is fitting that further recognition be given this outstanding Hoosier farmer: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Don Shoemaker on winning the Young Farmer and Rancher Discussion Meet and commends him on his success as an outstanding Hoosier farmer.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Don Shoemaker and his family.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Steele and Lewis.

House Resolution 29

Representative Blanton introduced House Resolution 29:

A HOUSE RESOLUTION honoring Orleans Jr. Sr. High School.

Whereas, Orleans Jr. Sr. High School has been recognized by the Indiana Chamber of Commerce and U.S. News and World Report as one of the top schools in the nation;

Whereas, Named a "Best Buy" school, honor roll school, and a "head of the class" member by the Indiana Chamber of Commerce, Orleans Jr. Sr. High School is representative of Hoosier high schools that have excelled academically while providing good value for tax dollars;

Whereas, To be named a "Best Buy" school, the school's quality index must be above the statewide median, expenditures must be below the statewide median, and the quality index ranking must be 20% higher than the school's expenditures ranking. To qualify as an honor roll school, the school must excel academically despite having at-risk student demographics above the statewide median;

Whereas, Orleans Jr. Sr. High School also received a bronze medal from U.S. News and Word Report recognizing it as one of our nation's top schools;

Whereas, U.S. News and World Report's America's Best High Schools 2008 list analyzed 18,790 public high schools in 40 states using a three-step process that ensures that all schools considered serve their students well and assess the degree the schools prepare their students for college-level work; and

Whereas, It is fitting that recognition of the achievements of the members of our educational system should be extensive to encourage them to always strive to develop Indiana's educational system to its full potential: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Orleans Jr. Sr. High School on being selected as a "Best Buy" school by the Indiana Chamber of Commerce and receiving a bronze medal from U.S. News and Word Report for being one of the top schools in the nation.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Orleans Jr. Sr. High School principal Gary McClintic and Orleans

Community Schools superintendent James Terrell.

The resolution was read a first time and adopted by voice vote.

House Resolution 30

Representative Austin introduced House Resolution 30:

A HOUSE RESOLUTION congratulating the Elwood High School wrestling team.

Whereas, The Elwood High School wrestling team is the Central Indiana Conference team champion for the 20th consecutive year;

Whereas, The Elwood Panthers have ruled supreme over the Central Indiana Conference since 1989, and their domination is not over yet;

Whereas, The Panthers racked up their 22nd overall victory after scoring 244 team points and four weight class titles;

Whereas, Seniors Darren Jones (24-5), Rickie Payne (28-4), Patrick Cruz (29-3), and Victor Cruz (29-3) all captured weight class championships;

Whereas, Patrick Cruz, who has 118 career wins, won his fourth Central Indiana Conference title overall, only the third time in conference history that a wrestler has been crowned a four-time champion; and

Whereas, Excellence in any endeavor deserves special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Elwood High School wrestling team on its 20th consecutive and 22nd overall Central Indiana Conference team championship and wishes the wrestlers continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to team members, head coach Rex Leavitt, assistant coach Fred Short, principal Chris Walker, and superintendent Thomas Austin.

The resolution was read a first time and adopted by voice vote.

House Resolution 31

Representative Mays introduced House Resolution 31:

A HOUSE RESOLUTION honoring the recipients of the 2007-2008 Black History Makers of Tomorrow Scholarship.

Whereas, The McDonald's Black History Makers of Tomorrow Program recognizes "outstanding seniors who demonstrate exceptional leadership, character, scholarship, and community service while celebrating Indiana's diversity";

Whereas, The scholarship program is open to all high school seniors who have maintained a 2.5 grade point average throughout their high school careers;

Whereas, As winners of the Black History Makers of Tomorrow Program, these students have demonstrated outstanding plans for influencing diversity in the state and celebrating their ethnicity with people of different cultural backgrounds; and

Whereas, These outstanding young Hoosiers have helped to promote multiculturalism in Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates these outstanding young people and wishes them continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Menan Assefa, Erica Ellington, Emily Fawcett, Traci Fuqua, Aaron Garrett, Norris Gilbert, Ernest Gray, Mahogany Hanks, India Jackson, Katelyn Kingseed, Brian Lahti, Harrison Lin, Laniel Madden, Katherine (Katie) McLean, Victoria Meyer, Vedrana Mlakic, Raven Norman, Whittney Sorrell, Louisa Varo, and Jasmine Woods.

The resolution was read a first time and adopted by voice vote.

House Resolution 32

Representative Oxley introduced House Resolution 32:

A HOUSE RESOLUTION memorializing Dale McKinley.

Whereas, Dale McKinley was born on March 2, 1930, and died on October 2, 2007;

Whereas, Born in Clark County to Manson and Bertha Zink McKinley, Dale McKinley was a retired farmer and a member of Southern Hills Church;

Whereas, Dale McKinley served his country during the Korean War as a member of the United States Navy;

Whereas, Active in his community, Dale McKinley served as District 2 Washington County Commissioner for 20 years;

Whereas, Dale McKinley also was a 4-H leader for 45 years and served on the East Washington School Corporation Board for eight years; and

Whereas, Dale McKinley contributed greatly to the well-being of the citizens of his community and will be sorely missed by his family and his friends: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives expresses its deepest sympathy to the family of Dale McKinley and its profound gratitude for his life of dedicated service to his family, his community, and his state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Dale McKinley's wife Jane and his children Denny, Scott, and Yvonne.

The resolution was read a first time and adopted by voice vote.

House Resolution 33

Representative V. Smith introduced House Resolution 33:

A HOUSE RESOLUTION honoring Pastor Willie James Campbell.

Whereas, Pastor Willie James Campbell, pastor of St. James Ministries Church of God in Christ at the Judah Complex in Chicago, Illinois, is a dynamic, energetic preacher who has spent many years guiding and inspiring the faithful and those in need of emotional and religious support;

Whereas, Pastor Campbell assumed the leadership of St. James Ministries Church of God in Christ on the death of his father, Bishop Jessie Campbell, and under his able guidance, many outreach programs have been instituted and implemented;

Whereas, In his work, Pastor Campbell has toured the United States and several foreign countries and has been featured on national and international telecasts; and

Whereas, Pastor Campbell is a dedicated, compassionate minister whose efforts help his congregation and others throughout their lives: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the many contributions of Pastor Willie James Campbell.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Pastor Willie James Campbell.

The resolution was read a first time and adopted by voice vote.

House Resolution 34

Representatives Stilwell, Battles, and Blanton introduced House Resolution 34:

A HOUSE RESOLUTION honoring Betsy Loveless on the occasion of her 80th birthday.

Whereas, Betsy Loveless was born on February 19, 1928;

Whereas, After graduating from Mount Olympus High School in Gibson County, Betsy married Everett Loveless and together they had three children - Bob, Dale, and Leanna;

Whereas, After the death of her husband, Betsy Loveless attended the Wabash School of Nursing, earning a degree in nursing;

Whereas, Active throughout her life in politics and public service, Betsy Loveless served as vice chairwoman of the Gibson County Democrat Party and numerous other positions in county government, including serving as the Washington Township trustee for many years; and

Whereas, It is a joy to note the 80th birthday of a lady whose life has had such a positive influence on her family, friends, and community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Betsy Loveless on the occasion of her 80th birthday and wishes her continued health and happiness in the coming years.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Betsy Loveless.

The resolution was read a first time and adopted by voice vote.

House Resolution 35

Representative Stilwell introduced House Resolution 35:

A HOUSE RESOLUTION honoring Holland, Indiana, on the 150th anniversary of its founding.

Whereas, The town of Holland, Indiana, is celebrating the 150th anniversary of its founding beginning on September 19, 2008;

Whereas, The town, originally founded by Henry Kunz, is believed to have been named Holland because the neighboring settlements referred to the early German settlers as Dutchmen;

Whereas, Although small in size, Holland has two very famous favorite sons, NBA basketball greats Gene Tormohlen and Don Buse;

Whereas, Small towns are the lifeblood of Indiana. It is, therefore, fitting that we honor the town of Holland, Indiana, on the 150th anniversary of its founding: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the citizens of Holland, Indiana, on the 150th anniversary of the founding of their town.

SECTION 2. That the Principal Clerk of the House of

Representatives shall transmit a copy of this resolution to Elizabeth Elshoff.

The resolution was read a first time and adopted by voice vote.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 12:20 p.m. with the Speaker in the Chair.

Representatives Fry and Ripley, who had been excused, were present.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 42

Representative C. Brown called down Engrossed Senate Bill 42 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 42-1)

Mr. Speaker: I move that Engrossed Senate Bill 42 be amended to read as follows:

Page 2, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 2. IC 12-12.7-2-19, AS ADDED BY P.L.93-2006, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 19. The budget agency shall annually report to the ~~health finance commission~~, **select joint commission on Medicaid oversight established by IC 2-5-26-3**, the budget committee, and the commission on mental retardation and developmental disabilities the following information concerning the funding of the program under this chapter:

(1) The total amount billed to a federal or state program each state fiscal year for services provided under this chapter, including the following programs:

(A) Medicaid.

(B) The children's health insurance program.

(C) The federal Temporary Assistance for Needy Families (TANF) program (45 CFR 265).

(D) Any other state or federal program.

(2) The total amount billed each state fiscal year to an insurance company for services provided under this chapter and the total amount reimbursed by the insurance company.

(3) The total copayments collected under this chapter each state fiscal year.

(4) The total administrative expenditures.

The report must be submitted before September 1 for the preceding state fiscal year in an electronic format under IC 5-14-6."

Page 2, delete lines 39 through 40, begin a new paragraph and insert:

"SECTION 5. IC 12-15-42-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 14. (a) The council shall provide an annual report to the governor, the legislative council, and the ~~health finance commission~~ **(IC 2-5-23) select joint commission on Medicaid oversight (IC 2-5-26)** not later than July 31 each year.

(b) The report required under this section must include the following:

(1) The evaluation made by the office under IC 12-15-41-13 and any comments the council has regarding the evaluation.

(2) Recommendations for any necessary legislation or rules.

(c) A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 6. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2008]: IC 2-5-23; IC 2-5-26-15; IC 12-15-42-13."

Renumber all SECTIONS consecutively.

(Reference is to ESB 42 as printed February 8, 2008.)

T. BROWN

Motion failed.

HOUSE MOTION (Amendment 42-3)

Mr. Speaker: I move that Engrossed Senate Bill 42 be amended to read as follows:

Page 2, after line 40, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] **The general assembly finds that there is sufficient money available to expend the amount appropriated by P.L.234-2007 for area health education centers for the state fiscal year beginning July 1, 2007, and ending June 30, 2008. Notwithstanding any other law, the budget agency shall allot and otherwise take the steps necessary to make available for expenditure and distribute to area health education centers before May 2, 2008, at least seventy-five percent (75%) of the amount appropriated by P.L.234-2007 for area health education centers for the state fiscal year beginning July 1, 2007, and ending June 30, 2008. The budget agency shall allot and otherwise take the steps necessary to make available for expenditure and distribute to area health education centers before July 1, 2008, at least an additional twenty-five percent (25%) of the amount appropriated by P.L.234-2007 for area health education centers for the state fiscal year beginning July 1, 2007, and ending June 30, 2008. The remaining five percent (5%) of the appropriation may be held as a reserve or allotted and released for expenditure and distribution to area health education centers, as determined by the budget agency using the standard allotment procedures applicable to state expenditures. The provisions of law permitting appropriations to be transferred, assigned, or reassigned to another use, fund, or agency do not apply to the appropriation described in this SECTION. Except as provided by this SECTION relative to five percent (5%) of the appropriation, the provisions of law permitting the budget agency to withhold an allotment of an appropriation does not apply to the appropriation described in this SECTION.**

SECTION 6. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to ESB 42 as printed February 8, 2008.)

CRAWFORD

Representative Foley rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was not well taken.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that Representative Crawford's amendment (42-3) Engrossed Senate Bill 42 does not violate House Rule 80. The amendment requires the Governor to release certain payments to health care centers and is assuredly not germane to Engrossed Senate Bill 42, which concerns the Select Joint Committee on Medicaid Oversight.

BOSMA
FOLEY

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

The question was, Shall the ruling of the Chair be sustained?

Roll Call 183: yeas 46, nays 45. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Representative Murphy, who had been excused, was present. Representative V. Smith was excused.

The question then was on the motion of Representative Crawford (42-3). Upon request of Representatives Crawford and Stilwell, the Speaker ordered the roll of the House to be called. Roll Call 184: yeas 48, nays 45. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 133

Representative Klinker called down Engrossed Senate Bill 133 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 133-1)

Mr. Speaker: I move that Engrossed Senate Bill 133 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10.2-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 6. (a) A member who becomes disabled while receiving a salary or employer provided income protection benefits or who is on leave under the Family and Medical Leave Act may retire for the duration of ~~his~~ **the member's** disability if:

(1) the member has at least five (5) years of creditable service before the:

(A) termination of a salary or employer provided income protection benefits or Family and Medical Leave Act leave; or

(B) exhaustion of all worker's compensation benefits;

(2) the member has qualified for Social Security disability benefits and has furnished proof of the Social Security qualification to the board; and

(3) at least once each year until the member reaches age sixty-five (65) a representative of the board verifies the continued disability.

For the purposes of this section, a member of the public employees' retirement fund who has qualified for disability benefits under the federal civil service system is considered to have met the requirement of subdivision (2) if ~~he~~ **the member** furnishes proof of the qualification to the board of the public employees' retirement fund.

(b) Benefits for disability shall be paid beginning with the month following the onset of disability as determined by the Social Security Administration. The benefit is the retirement benefit specified in section 4 of this chapter with the pension computed using only the years of creditable service worked to the date of disability and without reduction for early retirement. ~~However,~~ The monthly disability retirement benefit **payable before July 1, 2008,** may not be less than one hundred dollars (\$100). **The monthly disability retirement benefit payable after June 30, 2008, may not be less than one hundred eighty dollars (\$180).**

(c) The member may have ~~his~~ **the member's** benefit paid under any of the retirement benefit options specified in section 7 of this chapter, except that the member may not choose to have the member's disability retirement benefit paid under the method specified under section 7(b)(3) of this chapter.

(d) This section applies to:

(1) a member of the public employees' retirement fund who became disabled after June 30, 1973; and

(2) a member of the Indiana state teachers' retirement fund who becomes disabled after June 30, 1984, and who chooses disability retirement under this section.

(e) To the extent required by the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and any amendments and regulations to the Act, the transcripts, records, and other material compiled to determine the existence of a disability shall be:

(1) kept in separate medical files for each member; and

(2) treated as confidential medical records.

(f) A member may continue to receive disability benefits from the public employees' retirement fund or the Indiana state teachers' retirement fund so long as the member is entitled to receive Social Security benefits, including periods of trial employment or rehabilitation under the Social Security guidelines. However, during a period of trial employment or rehabilitation, service credit may not be granted under the public employees' retirement fund or the Indiana state teachers' retirement fund."

Renumber all SECTIONS consecutively.

(Reference is to ESB 133 as printed February 12, 2008.)

CRAWFORD

Representative Foley rose to a point of order, citing Rule 118, stating that the motion was attempting to incorporate into Engrossed Senate Bill 133 a bill pending before the House.

Representative Crawford withdrew the motion.

There being no further amendments, the bill was ordered engrossed.

Engrossed Senate Bill 159

Representative Hoy called down Engrossed Senate Bill 159 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 190

Representative GiaQuinta called down Engrossed Senate Bill 190 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 219

Representative Welch called down Engrossed Senate Bill 219 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 233

Representative Welch called down Engrossed Senate Bill 233 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 241

Representative Tincher called down Engrossed Senate Bill 241 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 249

Representative C. Brown called down Engrossed Senate Bill 249 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 32

The Speaker handed down Senate Concurrent Resolution 32, sponsored by Representative C. Brown:

A CONCURRENT RESOLUTION honoring Lee Botts for her work on environmental protection since the 1960s on the occasion of her 80th birthday celebration.

Whereas, Lee Botts began her work to protect the Great Lakes in 1969 when she founded the Lake Michigan Federation, was a member of the advisory committee for the Ford Foundation Energy Policy Project, was named chair of the Great Lakes Basin Commission by President Jimmy Carter in 1978, and was a research associate at the Center for Urban Affairs and Policy Research of Northwestern University;

Whereas, Lee Botts helped organize the binational citizens' coalition, Great Lakes United, was a consultant to the National Research Council for a study of toxic contamination of the Great Lakes by the National Academy of Science and the Royal Society of Canada, the U.S. chair for the Third Interuniversity Seminar for the Great Lakes, was principal U.S. author of An Atlas of Great Lakes Resources, and was appointed head of the City of Chicago's environmental agency;

Whereas, Lee Botts served as an environmental advisor to the 1992 Clinton presidential campaign, completed a short report on the state of the environment in Northwest Indiana, and was the principal U.S. investigator for a review of the 25 years of experience under the Great Lakes Water Quality Agreement with Canada sponsored by the Institute for International Environmental Governance of Dartmouth College;

Whereas, Lee Botts is a member of the Indiana Save the Dunes Council, Illinois Global Climate Change Task Force, the Environmental Policy Management Committee of Northwest Indiana Regional Planning Commission, the Trade and Environment Policy Advisory Committee to the Office of the U.S. Trade Representative in Washington D.C., is a founding member of the Quality of Life Council, and is president of the Indiana Dunes Environmental Learning Center; and

Whereas, Lee Botts is a Board Member Emeritus of the Lake Michigan Federation, a board member of the Delta Institute, serves on advisory panels for several other environmental groups, was honored for her contributions to the global environment by the United Nations Environment Programme, has received awards for the Hoosier Environmental Council, the Lake Michigan Federation, the Grand Calumet Task Force, and other environmental groups, and has received an honorary doctorate from Indiana University: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. The Indiana General Assembly hereby recognizes Lee Botts for her long career as a champion of environmental protection, both inside and outside the government, not only for Lake Michigan, but to environmental issues of national and global significance.

SECTION 2. The Secretary of the Senate is directed to transmit a copy of this resolution to Lee Botts, Save the Dunes Council, and the Alliance for Great Lakes.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Engrossed Senate Bill 28, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 11, delete "'brand" means each type of" and insert **"'brand family" has the meaning set forth in IC 24-3-5.4-1."**

Page 1, delete line 12.
Page 3, line 9, delete ":" and insert **"the cigarettes:"**.
Page 3, line 10, delete "the cigarettes".
Page 3, line 12, delete "14" and insert **"15"**.
Page 3, line 13, delete "a written certification has been filed by the manufacturer" and insert **"have been certified"**.
Page 3, line 14, delete "with the state fire marshal".
Page 3, line 16, delete "the cigarettes".
Page 3, line 27, delete "only".
Page 3, line 28, after "applied" insert **"only"**.
Page 4, line 2, delete "as a brand".
Page 4, line 5, delete "12" and insert **"13 or 15"**.
Page 5, line 29, delete "retailer" and insert **"retail"**.
Page 6, line 5, delete "Each" and insert **"Except as provided in subsection (d), each"**.
Page 6, line 7, delete "as a brand".
Page 6, line 8, delete "14" and insert **"15"**.
Page 6, line 31, delete "The" and insert **"Notwithstanding subsection (a), the"**.
Page 6, line 32, delete "certifications issued by another state that has" and insert **"a certification issued to:**
(1) the New York State Department of State's Office of Fire Prevention and Control; or
(2) the responsible entity of another state that has:
(A) substantially equivalent certification requirements relating to reduced ignition propensity cigarettes; and
(B) the same test method and performance standard requirements as provided in sections 13 and 15 of this chapter.".
Page 6, delete lines 33 through 34.
Page 6, line 35, delete "as a brand".
Page 6, line 35, after "certification" insert **"submitted"**.
Page 6, line 37, delete "of cigarette" and insert **"family"**.
Page 6, line 37, after "certification" delete "," and insert **"submitted under subsection (a) or (d),"**.
Page 6 line 38, delete "two" and insert **"eight"**.
Page 6, line 39, delete "fifty dollars (\$250)." and insert **"dollars (\$800)."**.
Page 7, line 2, delete "of cigarette" and insert **"family"**.
Page 7, line 10, after "13" insert **"or 15"**.
Page 7, line 13, delete "14" and insert **"15"**.
Page 8, line 5, after "marking" delete ",".
Page 9, line 28, delete "14" and insert **"15"**.
Page 11, between lines 16 and 17, begin a new paragraph and insert:

"Sec. 31. This chapter may not be construed to supersede or preempt applicable federal laws or regulations concerning reduced ignition propensity standards for cigarettes.

SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) IC 22-14-7-21(d), as added by this act, applies to certifications issued not more than three (3) years before the date on which this act takes effect.**

(b) This SECTION expires July 1, 2011."

Renumber all SECTIONS consecutively.

(Reference is to SB 28 as reprinted January 29, 2008.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

TINCHER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Engrossed Senate Bill 46, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

DVORAK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Engrossed Senate Bill 169, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 18, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission" refers to the single payer health coverage commission established by subsection (b).

(b) The single payer health coverage commission is established.

(c) The commission consists of the following members who serve at the pleasure of the appointing authority:

(1) Four (4) members appointed by the speaker of the house of representatives, not more than two (2) of whom may be members of the same political party.

(2) Four (4) members appointed by the president pro tempore of the senate, not more than two (2) of whom may be members of the same political party.

(3) Four (4) members appointed by the governor, not more than two (2) of whom may be members of the same political party.

A member of the general assembly may not be appointed to the commission.

(d) Each appointing authority specified in subsection (c) shall appoint members from different regions of Indiana, including:

(1) one (1) member who has health insurance expertise;

(2) one (1) member who is a health care provider;

(3) one (1) member who is a human resources representative in business or government; and

(4) one (1) member who is a consumer with health insurance knowledge.

(e) The governor shall appoint the chairperson of the commission from among the members appointed under subsection (c)(3).

(f) The commission shall do the following:

(1) Compile, review, and evaluate information concerning single payer health coverage systems, including:

(A) an analysis of each model of single payer health coverage system that exists in another state or country;

(B) data demonstrating success, failure, problems, and solutions to problems with regard to each single payer health coverage system that exists in another state or country; and

(C) potential public and private resources and methods to use in establishing a single payer health coverage system.

(2) Make recommendations for a variety of possibilities, and enumeration of perceived strengths and weaknesses of each possibility, for implementation of a single payer health coverage system to provide health coverage for every Indiana resident. The recommendations must be made for consideration by the governor and the general assembly in working toward providing health coverage for every Indiana resident and include possibilities for a:

(A) dedicated source of funding for the single payer health coverage system; and

(B) plan of health coverage to be provided through the single payer health coverage system.

(g) The commission shall make the recommendations required by subsection (f) to the governor and, in an electronic format under IC 5-14-6, to the legislative council before December 1, 2008.

(h) The department of insurance and the state department of health shall staff the commission.

(i) The expenses of the commission shall be paid by the department of insurance.

(j) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) The affirmative votes of a majority of the members appointed to the commission are required for the commission to take action on any measure.

(m) This SECTION expires December 31, 2008.

SECTION 4. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 169 as printed January 25, 2008.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 4.

C. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Engrossed Senate Bill 213, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 7, nays 3.

DVORAK, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Engrossed Senate Bill 250, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 9, nays 0.

TINCHER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Engrossed Senate Bill 262, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

Committee Vote: yeas 10, nays 0.

PORTER, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE**Reassignments**

The Speaker announced the reassignment of Engrossed Senate Bill 329 from the Committee on Judiciary to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stilwell, Koch, and Saunders be added as coauthors of House Concurrent Resolution 12.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Crawford be removed as sponsor, Representative Welch be substituted as sponsor, and Representatives Crawford and Turner be added as cosponsors of Engrossed Senate Bill 17.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Welch and Turner be added as cosponsors of Engrossed Senate Bill 18.

CRAWFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ruppel and Reske be added as cosponsors of Engrossed Senate Bill 28.

C. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative T. Harris be added as cosponsor of Engrossed Senate Bill 91.

AVERY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ruppel be added as cosponsor of Engrossed Senate Bill 250.

RESKE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Fry, the House adjourned at 1:15 p.m., this fourteenth day of February, 2008, until Monday, February 18, 2008, at 1:30 p.m.

B. PATRICK BAUER**Speaker of the House of Representatives****CLINTON McKAY****Principal Clerk of the House of Representatives**